

# Town Board Minutes

July 7, 2008

Meeting No. 22

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at 21 Central Avenue, Lancaster, New York on the 7<sup>th</sup> day of July 2008 at 8:00 P.M. and there were

**PRESENT:** JOHN ABRAHAM , COUNCIL MEMBER  
DANIEL AMATURA, COUNCIL MEMBER  
RONALD RUFFINO, COUNCIL MEMBER  
DONNA STEMPIAK, COUNCIL MEMBER  
ROBERT GIZA, SUPERVISOR

**ABSENT:** NONE

**ALSO PRESENT:** JOHANNA COLEMAN, TOWN CLERK  
JOHN DUDZIAK, TOWN ATTORNEY  
LEONARD CAMPISANO, ASST. BUILDING INSPECTOR  
GARY STOLDT, CHIEF OF POLICE  
TERRENCE McCracken, GENERAL CREW CHIEF  
RICHARD REESE JR., HIGHWAY SUPERINTENDENT  
ROBERT HARRIS, ENGINEER, WM. SCHUTT & ASSOCIATES  
JOHN TROJANOWSKY, YOUTH BUREAU DIRECTOR

## **EXECUTIVE SESSION:**

AT 8:05 P.M., UPON A MOTION DULY MADE BY COUNCIL MEMBER STEMPIAK, SECONDED BY COUNCIL MEMBER ABRAHAM AND CARRIED, the Town Board entered into consultation with their legal counsel.

At 8:10 P.M., the Town Board reconvened with all members present. The Town Clerk reported that no official actions were taken by the Town Board.

**PERSONS ADDRESSING TOWN BOARD:**

**Beutler, Daniel**, spoke to the Town Board on the following matters:

- appointment of Police Officers
- agreement with New York State Office of Alcoholism and Substance Abuse Services
- Transit Road access management plan

**Chowaniec, Lee**, spoke to the Town Board on the following matters:

- Comprehensive Plan
- traffic Patterns on William Street near Transit Road

**Ertel, Richard**, CPA, Amato, Fox & Company, P.C., spoke to the Town Board on the following matter:

- reported a clean audit of the Town’s 2007 audit

**Fronczak, Mike**, spoke to the Town Board on the following matters:

- house on Harris Hill Road
- Town vehicles
- bubbler in front of his house

**Geblein, Jeff**, spoke to the Town Board on the following matter:

- proposed Band Shell location

**Mac Peek, Amy**, spoke to the Town Board on the following matter:

- proposed Band Shell location

**Reese, Richard**, Highway Superintendent, spoke to the Town Board on the following matter:

- comments regarding bubbler at 3 Woodstream

**Schneggenburger, Roy**, spoke to the Town Board on the following matters:

- proposed Band Shell
- traffic concerns

**PUBLIC HEARING SCHEDULED FOR 8:30 P.M.:**

At 8:30 P.M., the Town Board held a Public Hearing to hear all interested persons upon a an application for a Special Use Permit for a Home Occupation on premises locally known as 91 Nichter Road, Lancaster, New York.

The affidavits of publication and posting of this Public Hearing are on file and a copy of the Legal Notice has been posted.

<b>NAME OF PERSONS ADDRESSING THE BOARD ON THIS SUBJECT</b>	<b>Proponent/ Opponent/ Comments/Questions</b>
Susan Ida Szwajda, petitioner	Proponent

ON MOTION BY COUNCIL MEMBER AMATURA, SECONDED BY COUNCIL MEMBER ABRAHAM AND CARRIED, the public hearing was closed at 8:33 P.M.

Decision on this matter was reserved.

July 7, 2008

**PUBLIC HEARING SCHEDULED FOR 8:35 P.M.:**

At 8:35 P.M., the Town Board held a Public Hearing to hear all interested persons upon a proposed amendment to the Zoning Map of the Town of Lancaster as petitioned by Niagara Lutheran Health Services for a rezone from a Residential Commercial Office District (RCO) to Multi Family Residential District 3 (MFR-3).

The affidavits of publication and posting of this Public Hearing are on file and a copy of the Legal Notice has been posted.

<b>NAME OF PERSONS ADDRESSING THE BOARD ON THIS SUBJECT</b>	<b>Proponent/ Opponent/ Comments/Questions</b>
Al Hopkins, Metzger Engineering Agent for Niagara Lutheran Health Services	Proponent
Roy Schneggenburger	Proponent

ON MOTION BY COUNCIL MEMBER RUFFINO, SECONDED BY COUNCIL MEMBER STEMPIAK AND CARRIED, the public hearing was closed at 8:41 P.M.

Decision on this matter was reserved.

July 7, 2008

**PUBLIC HEARING SCHEDULED FOR 8:40 P.M.:**

At 8:41 P.M., the Town Board held a Public Hearing to hear all interested persons upon a proposed amendment to the Vehicle & Traffic Ordinance of the Code of the Town of Lancaster in regards to parking, standing & stopping on Harris Hill Road and Genesee Street.

The affidavits of publication and posting of this Public Hearing are on file and a copy of the Legal Notice has been posted.

<b>NAME OF PERSONS ADDRESSING THE BOARD ON THIS SUBJECT</b>	<b>Proponent/ Opponent/ Comments/Questions</b>
Gary Stoldt, Police Chief	Comments

ON MOTION BY COUNCIL MEMBER ABRAHAM, SECONDED BY COUNCIL MEMBER AMATURA AND CARRIED, the public hearing was closed at 8:42 P.M.

Decision on this matter was reserved.

July 7, 2008

**PUBLIC HEARING SCHEDULED FOR 8:45 P.M.:**

At 8:46 P.M., the Town Board held a Public Hearing to hear all interested persons upon a proposed Ordinance entitled “Open Container” designated as Chapter 2 of the Code of the Town of Lancaster.

The affidavits of publication and posting of this Public Hearing are on file and a copy of the Legal Notice has been posted.

<b>NAME OF PERSONS ADDRESSING THE BOARD ON THIS SUBJECT</b>	<b>Proponent/ Opponent/ Comments/Questions</b>
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NONE	
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ON MOTION BY COUNCIL MEMBER AMATURA, SECONDED BY COUNCIL MEMBER RUFFINO AND CARRIED, the public hearing was closed at 8:50 P.M.

Decision on this matter was reserved.

July 7, 2008

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER RUFFINO, TO WIT:

**RESOLVED**, that the minutes of the Regular Meeting of the Town Board held  
June 16, 2008 be and are hereby approved.

The question of the adoption of the foregoing resolution was duly put to a vote on  
roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

July 7, 2008

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER STEMPIAK WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER AMATURA, TO WIT:

**WHEREAS**, by resolution adopted on June 16, 2008, the Town Board authorized the petition of **Affordable Senior Housing Opportunities of New York, Inc.**, 350 Harris Hill Road, Williamsville, New York for the rezone of property located at 6026 Broadway, in the Town of Lancaster, New York from an Agricultural Residential District (AR) to Multifamily Residential District Four (MFR-4), and

**WHEREAS**, due to a typographical error, the age referenced under the conditions of acceptance in section 2-a inadvertently stated sixty-five (65) and should have been sixty (60).

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the resolution adopted June 16, 2008, authorizing the Zoning Ordinance and Zoning Map of the Town of Lancaster to be amended and changed so that the real property hereinafter described be changed from a Agricultural Residential District (AR) to a Multifamily Residential District Four (MFR-4) is hereby rescinded

**ALL THAT TRACT OR PARCEL OF LAND**, situate in the Town of Lancaster, County of Erie and State of New York, being part of Lot 7, Section 4, Township 11, Range 6 of the Holland Land Survey, bounded and described as follows:

**BEGINNING** at the point on the east line of Lot 7, being the centerline of Pavement Road (formerly called Bagley Road) distant 517.50 feet southerly from the northeast corner of Lot 7 as measured along said east line;

**THENCE** S-00°-27'-10"-W, along the east line of Lot 7 a distance of 1,215.00 feet;

**THENCE** N-88°-11'-09"-W, a distance of 683.64 feet to the east line of lands conveyed to Thomas N. Peckham recorded in the Erie County Clerk's Office in Liber 113 of Deeds at page 226, Distant 250.00 feet northerly from the north line of Broadway as measured along said east line of said Peckham lands;

**THENCE** N-00°-03'-11"-E, along said east line a distance of 1,214.36 feet to the south line of lands conveyed to Cynthia Needham recorded in the Erie County Clerk's Office in Liber 231 of Deeds at page 254;

**THENCE** S-88°-13'-14"-E, along said south line a distance of 670.91 feet to the point of beginning containing 18.88 acres be the same more or less;

Excepting and reserving that portion of lands lying within the bounds of Pavement Road.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

July 7, 2008

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER STEMPIAK WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER RUFFINO, TO WIT:

**WHEREAS**, a Public Hearing was held on the 5<sup>th</sup> day of May, 2008, on the petition of **Affordable Senior Housing Opportunities of New York, Inc.**, 350 Harris Hill Road, Williamsville, New York for the rezone of property located at 6026 Broadway, in the Town of Lancaster, New York from an Agricultural Residential District (AR) to Multifamily Residential District Four (MFR-4), and

**WHEREAS**, the Planning Board of the Town of Lancaster at its meeting held April 2, 2008 unanimously recommended approval of the rezone, and

**WHEREAS**, a SEQR review was completed on the proposed rezone and project on June 2, 2008 and a Negative Declaration issued, and

**WHEREAS**, a Notice of said Hearing has been duly published and posted, and

**WHEREAS**, in accordance with Section 239 (m) of the General Municipal Law of the State of New York, the Erie County Department of Planning has reviewed such application for rezone and has no objection with respect thereto;

**NOW, THEREFORE, BE IT**

**RESOLVED**, as follows:

1. That the Zoning Ordinance and Zoning Map of the Town of Lancaster is hereby amended and changed so that the real property hereinafter described is changed from a Agricultural Residential District (AR) to a Multifamily Residential District Four (MFR-4):

**ALL THAT TRACT OR PARCEL OF LAND**, situate in the Town of Lancaster, County of Erie and State of New York, being part of Lot 7, Section 4, Township 11, Range 6 of the Holland Land Survey, bounded and described as follows:

**BEGINNING** at the point on the east line of Lot 7, being the centerline of Pavement Road (formerly called Bagley Road) distant 517.50 feet southerly from the northeast corner of Lot 7 as measured along said east line;

**THENCE** S-00°-27'-10"-W, along the east line of Lot 7 a distance of 1,215.00 feet;

**THENCE** N-88°-11'-09"-W, a distance of 683.64 feet to the east line of lands conveyed to Thomas N. Peckham recorded in the Erie County Clerk's Office in Liber 113 of Deeds at page 226, Distant 250.00 feet northerly from the north line of Broadway as measured along said east line of said Peckham lands;

**THENCE** N-00°-03'-11"-E, along said east line a distance of 1,214.36 feet to the south line of lands conveyed to Cynthia Needham recorded in the Erie County Clerk’s Office in Liber 231 of Deeds at page 254;

**THENCE** S-88°-13'-14"-E, along said south line a distance of 670.91 feet to the point of beginning containing 18.88 acres be the same more or less;

Excepting and reserving that portion of lands lying within the bounds of Pavement Road.

2 That the Zoning Amendment is subject to the proponent/developer meeting the following conditions:

a) Dwelling to be solely used as housing for senior citizens defined as people over the age of sixty (60) years.

3. That said Ordinance Amendment be added in the minutes of the meeting of the Town Board of the Town of Lancaster held on the 7<sup>th</sup> day of July, 2008;

4. That a certified copy thereof be published in the Lancaster Bee, on or before the 10<sup>th</sup> day of July, 2008;

5. That Affidavits of Publication be filed with the Town Clerk; and

6. That a certified copy of this resolution be furnished to the Erie County Department of Planning.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

July 7, 2008

**LEGAL NOTICE**  
**NOTICE OF ADOPTION OF AMENDMENT**  
**ZONING ORDINANCE, TOWN OF LANCASTER**  
**6026 BROADWAY**  
**TOWN OF LANCASTER**

**LEGAL NOTICE IS HEREBY GIVEN** that the Zoning Ordinance of the Town of Lancaster is hereby amended and the Zoning Map of the said Town is hereby changed so that the real property hereinafter described is changed from a Agricultural Residential District (AR) to Multifamily Residential District Four (MFR-4):

**ALL THAT TRACT OR PARCEL OF LAND**, situate in the Town of Lancaster, County of Erie and State of New York, being part of Lot 7, Section 4, Township 11, Range 6 of the Holland Land Survey, bounded and described as follows:

**BEGINNING** at the point on the east line of Lot 7, being the centerline of Pavement Road (formerly called Bagley Road) distant 517.50 feet southerly from the northeast corner of Lot 7 as measured along said east line;

**THENCE** S-00°-27'-10"-W, along the east line of Lot 7 a distance of 1,215.00 feet;

**THENCE** N-88°-11'-09"-W, a distance of 683.64 feet to the east line of lands conveyed to Thomas N. Peckham recorded in the Erie County Clerk's Office in Liber 113 of Deeds at page 226, Distant 250.00 feet northerly from the north line of Broadway as measured along said east line of said Peckham lands;

**THENCE** N-00°-03'-11"-E, along said east line a distance of 1,214.36 feet to the south line of lands conveyed to Cynthia Needham recorded in the Erie County Clerk's Office in Liber 231 of Deeds at page 254;

**THENCE** S-88°-13'-14"-E, along said south line a distance of 670.91 feet to the point of beginning containing 18.88 acres be the same more or less;

Excepting and reserving that portion of lands lying within the bounds of Pavement Road.

**July 7, 2008**

**STATE OF NEW YORK   :**

**COUNTY OF ERIE       :**   **ss:**

**TOWN OF LANCASTER :**

**THIS IS TO CERTIFY** that I, Johanna M. Coleman, Town Clerk of the Town of Lancaster, in said County of Erie, have compared the foregoing copy of an Ordinance on the 7<sup>th</sup> day of July 2008 and that the same is a true and correct copy of said original, and of the whole thereof.

**IN WITNESS WHEREOF**, I have hereunto signed my hand and affixed the Seal of said Town this 7<sup>th</sup> day of July, 2008

**(S E A L)**

\_\_\_\_\_  
Johanna M. Coleman, Town Clerk

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER AMATURA, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER ABRAHAM, TO WIT:

**WHEREAS, Joanne Rocco**, the owner of real property situate at 5300 William Street in the Town of Lancaster, New York, has submitted an application for a Special Use Permit for a Home Occupation (Antiques, Home decor and Handcrafted items Retail Store ), in accordance with provisions of Chapter 50-Zoning of the Code of the Town of Lancaster;

**NOW, THEREFORE, BE IT**

**RESOLVED**, that pursuant to Chapter 50-Zoning, Section 17 (F), entitled “Home Occupations” of the Code of the Town of Lancaster, a Public Hearing on the proposed Special Use Permit for a Home Occupation (Antiques, Home decor and Handcrafted items Retail Store ) on premises locally known as 5300 William Street, Lancaster, New York, will be held at the Town Hall, 21 Central Avenue, Lancaster, New York, on the 21<sup>st</sup> day of July, 2008, at 8:30 o’clock P.M., Local Time, and that Notice of the time and place of such hearing be published in the Lancaster Bee, a newspaper of general circulation in said Town , on July 10, 2008 and be posted on the Town Bulletin Board, and that a copy of such Notice of Hearing be referred to the Erie County Department of Planning, pursuant to Section 239 (m) of the General Municipal Law, which Notice shall be in the form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

July 7, 2008

**LEGAL NOTICE**  
**PUBLIC HEARING**  
**TOWN OF LANCASTER**

**LEGAL NOTICE IS HEREBY GIVEN**, that pursuant to the authority set forth in Chapter 50-Zoning, Section 17 (F), “Home Occupations” of the Code of the Town of Lancaster, and the Town Law of the State of New York, and pursuant to a resolution of the Town Board of the Town of Lancaster, adopted on the 7<sup>th</sup> day of July, 2008, the Town Board will hold a Public Hearing on the 21<sup>st</sup> day of July, 2008, at 8:30 o’clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, to hear all interested persons upon the application of Joanne Rocco for a Special Use Permit, for a Home Occupation (Antiques, Home Decor and Handcrafted Items Retail Store) on premises locally known as 5300 William Street, Town of Lancaster, County of Erie, State of New York.

Full opportunity to be heard will be given to any and all citizens and all parties in interest.

TOWN BOARD OF THE  
TOWN OF LANCASTER

BY: Johanna M. Coleman  
Town Clerk

July 7, 2008

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER STEMPIAK, TO WIT:

**WHEREAS**, the Town Board of the Town of Lancaster has requested that Wm. Schutt & Associates, P.C. provide the Town of Lancaster with design modifications for the currently occupied space within the Town Hall facility and for the existing ambulance garage annex at the rear of the Town Hall, and

**WHEREAS**, Wm. Schutt & Associates, P.C. deems it in the public interest to ascertain the presence or absence of certain environmental materials such as asbestos, lead paint, and /or mold for the purpose of determining the degree of mitigation that would be required prior to completing final design work; and

**WHEREAS**, Wm. Schutt & Associates, P.C. has solicited quotes for technical services to inspect, sample collection, and analyze samples (if necessary) in accordance with specifications on file with the Town Clerk of the Town of Lancaster, and

**WHEREAS**, Wm. Schutt & Associates, P.C. has recommended the use of the aforementioned services in accordance with said specifications from the low bidder thereon, WATTS Architecture & Engineering, P.C., 3826 Main Street, Buffalo, New York 14226.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Board of the Town of Lancaster hereby authorizes the Supervisor of the Town of Lancaster to enter into an agreement with WATTS Architecture and Engineering, P.C., 3826 Main Street, Buffalo, New York to perform environmental inspections, sampling and analysis regarding development of schematic plans for currently occupied space within the Town Hall facility and for the reuse of the existing ambulance garage annex at the rear of the Town Hall for a sum not to exceed \$2,850.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

July 7, 2008

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER STEMPNIAK, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER AMATURA, TO WIT:

**WHEREAS, Dato Development, LLC**, S-5540 Southwestern, Hamburg,  
New York 14075 has heretofore applied for approval of a residential community to be known as  
“Brookside Townhouses Subdivision,” located on the Slate Bottom Drive, east side of Transit  
Road in the Town of Lancaster, and

**WHEREAS,** the Planning Board and Town Engineer have given their  
approval to the filing of this Subdivision, and

**WHEREAS,** the Town acting as lead agency has completed an environmental  
review in conformance with SEQR (State Environmental Quality Review) regulations, and

**WHEREAS,** the Town Board of the Town of Lancaster has duly reviewed  
and considered the proposed subdivision;

**NOW, THEREFORE, BE IT  
RESOLVED, as follows:**

- 1. That the Town Board of the Town of Lancaster hereby approves the  
proposed residential subdivision as prepared by Nussbaumer & Clarke, Inc. dated May, 2008  
and filed with the Town Clerk on June 13, 2008 for the subdivision to be known as “Brookside  
Townhouses” for filing in the Erie County Clerk’s office.
- 2. That the Town Clerk be and is hereby directed to properly endorse the  
approval of the Town Board of the Town of Lancaster on the linen copy thereof.

The question of the adoption of the foregoing resolution was duly put to a vote  
on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

July 7, 2008

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER RUFFINO, TO WIT:

**WHEREAS,** the Town of Lancaster Town Band has requested that Tredo Engineers, and Flynn Battaglia Architects provide the Town Band with design documents for a Band Shell to be located on Artel Metz Way, off of Aurora Street, adjacent to the Town of Lancaster Youth Bureau in the Town of Lancaster, and

**WHEREAS,** it is anticipated that all or a portion of the funding for this project is to be provided by outside grants and donations to be received directly by the Town of Lancaster, and

**WHEREAS,** it is deemed in the best interest of the Town of Lancaster for the Town to facilitate the band shell project.

**NOW, THEREFORE, BE IT**

**RESOLVED,** that the Town Board of the Town of Lancaster hereby endorses the Band Shell project; and its implementation, subject to review of the final design documents and the availability of funding via grants and donations.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

July 7, 2008

**PREFILED RESOLUTION NO. 8 - MEETING OF 7/7/2008**

Stempniak/\_\_\_\_\_ Approve Site Plan Wal-Mart

At the request of Council Member Stempniak, this resolution was withdrawn for further study.

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER RUFFINO, TO WIT:

**WHEREAS**, General Crew Chief Terrence McCracken by letter dated July 1, 2008, has requested the appointment of four (4) seasonal employees in the Parks, Recreation and Forestry Department of the Town of Lancaster for summer 2008. These appointments are necessary because individuals previously appointed have declined the positions.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the following individuals be and are hereby appointed to the position of seasonal employees for the summer of 2008 in the Parks, Recreation and Forestry Department of the Town of Lancaster, with no benefits:

<u>NAME</u>	<u>POSITION</u>	<u>RATE</u>	<u>EFFECTIVE DATE</u>
Kyle Hejmowski (rehire) 17 Briarwood Dr., Lancaster	Recreation Attendant (Tennis Instructor)	\$9.15/hr.	Retroactive to June 30, 2008
Justin Yates (new hire) 6 Sugarbush Lane, Lancaster	Lifeguard	\$7.15/hr.	July 8, 2008
Alexandra Zarbo (new hire) 5 Fox Hunt Rd., Lancaster	Lifeguard	\$7.15/hr.	July 8, 2008
Ashley Tom (new hire) 36 Greenbriar Dr., Lancaster	Recreation Attendant (Playground Attendant)	\$7.15/hr.	Retroactive to June 30, 2008

**BE IT FURTHER,**

**RESOLVED**, that the Supervisor of the Town of Lancaster take the necessary action with the Personnel Officer of the County of Erie to accomplish the foregoing.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

July 7, 2008

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER STEMPIAK, TO WIT:

**WHEREAS**, the Executive Director of the Youth Bureau by letter dated July 1, 2008, has recommended appointments for the Youth Bureau's Summer Skills Building Program and the Safe Summer Reinforcement & Enrichment Programs.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the following individuals be and are hereby appointed to positions in the Youth Bureau's Summer Skills Building Program and Safe Summer Reinforcement & Enrichment Programs effective July 8, 2008 through August 31, 2008, at the following rates:

<u>Name</u>	<u>Position</u>	<u>Rate</u>
Donna Green (rehire) 165 Sawyer Ave. Depew, NY 14043	Tutor	\$15.50/hr.
Jessica Budowski (rehire) 23 Patton Lane West Seneca, NY 14224	Tutor	\$16.00/hr.
Benjamin Pierce (new hire) 170 Campus Dr. Snyder, NY 14226	Tutor	\$15.00/hr.
Edwin Voll (new hire) 62 Eagan Dr. Lackawanna, NY 14218	Tutor	\$15.00/hr.

**BE IT FURTHER,**

**RESOLVED**, that the Supervisor of the Town of Lancaster take the necessary action with the Personnel Officer of the County of Erie to accomplish the foregoing.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

July 7, 2008

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER RUFFINO, TO WIT:

**WHEREAS**, the Highway Superintendent of the Town of Lancaster, by letter dated July 1, 2008, has requested the appointment of a part-time seasonal laborer to work in the Highway Department for the 2008 summer season.

**NOW, THEREFORE, BE IT**

\_\_\_\_\_ **RESOLVED**, that the following individual be appointed to the position of laborer part-time, seasonal for the 2008 summer season in the Highway Department, and that this being a part time position provides no health insurance, sick days, vacations, or other fringe benefits not specifically mandated for part-time temporary employees:

NAME	RATE	EFFECTIVE DATE
Daniel Miller 35 Brady Avenue, Lancaster	\$8.50 per hour	July 8, 2008

**BE IT FURTHER,**

**RESOLVED**, that the Supervisor of the Town of Lancaster take the necessary action with the Personnel Officer of the County of Erie to accomplish the foregoing.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

July 7, 2008

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER RUFFINO, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER STEMPIAK, TO WIT:

**WHEREAS**, the New York State Office of Alcoholism and Substance Abuse Services has awarded the Town of Lancaster Youth Bureau and Drug Abuse Prevention Council a grant for the period January 1, 2008 through December 31, 2008 in the amount of \$3,294 to fund the operation of a substance abuse prevention program, and

**WHEREAS**, the Town Board has authorized the Supervisor to enter into a Memorandum of Understanding between the Town of Lancaster Youth Bureau and WNY United Against Drug & Alcohol Abuse, Inc. for use of New York State Office of Alcoholism and Substance Abuse Services funds in the amount of \$3,294, and

**WHEREAS**, the Town Board desires to enter into a contract for New York State Office of Alcoholism Services funding for the amount of \$3,294;

**NOW, THEREFORE, BE IT**

**RESOLVED**, that Robert H. Giza, Supervisor of the Town of Lancaster is hereby authorized to enter into a Memorandum of Understanding between the Town of Lancaster Youth Bureau and WNY United Against Drug & Alcohol Abuse, Inc. for use of New York State Office of Alcoholism and Substance Abuse Services funds in the amount of \$3,294, to continue operation of a substance abuse prevention program through the Town of Lancaster Youth Bureau and Drug Abuse Prevention Council.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

July 7, 2008

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER STEMPIAK, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER RUFFINO, TO WIT:

**WHEREAS, Bob Kunvarji** has requested that the Town Board grant a two year extension for the site plan approval for the proposed construction of a 4,655 square foot Friendly’s Restaurant located at 6671 Transit Road and a 3,600 square foot convenience store with six (6) gas pumps located at 6677 Transit Road in the Town of Lancaster, and

**WHEREAS,** the Town Code Section 50-43 (C)(5) provides that the Town Board may grant a further extension of the original two year time limitation for commencement of development from the date of approval of a site plan, and

**WHEREAS,** the Town Board has given due review and consideration to the request for extension;

**NOW, THEREFORE, BE IT**

**RESOLVED,** that the Town Board of the Town of Lancaster using the authority granted to it under Section 50-43 (C)(5) hereby extends the two year statutory approval on the site plan previously approved for Bob Kunvarji for construction of a 4,655 square foot Friendly’s Restaurant located at 6671 Transit Road and a 3,600 square foot convenience store with six (6) gas pumps located at 6677 Transit Road to a date two years from the date of this resolution.

**BE IT FURTHER**

**RESOLVED,** that all terms and conditions which are recited in the prior Town Board resolution approving the site plan on July 19, 2004 shall remain in effect relative to the granting of this extension of the approval of the before-mentioned site plan.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

July 7, 2008

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER RUFFINO, TO WIT:

**WHEREAS**, the Chief of Police of the Town of Lancaster, by letter dated July 2, 2008, has recommended the appointments of Brian T. Firestone and Shaun T. Dimino to the position of Police Officer, and

**WHEREAS**, Brian T. Firestone and Shaun T. Dimino have placed in the top (3) candidates with the rating of 90%, and

**WHEREAS**, Brian T. Firestone will be required to attend the Erie County Central Police Services Academy starting on August 4, 2008. As Shaun T. Dimino is already a certified Police Officer in New York State, he will not be required to attend the Academy and will be able to perform his duties after a short orientation program within the Lancaster Police Department.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that Brian T. Firestone and Shaun T. Dimino are hereby appointed to the position of Police Officer in the Town of Lancaster Police Department effective July 28, 2008, with full benefits and salary in accordance with the departmental procedures as set forth in the current Police Benevolent Association contract.

**BE IT FURTHER,**

**RESOLVED**, that the Supervisor of the Town of Lancaster take the necessary action with the Personnel Officer of the County of Erie to accomplish the foregoing.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

July 7, 2008

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER STEMPIAK, TO WIT:

**WHEREAS,** the Town Board of the Town of Lancaster has, from time to time, adopted and amended policies and rules establishing compensation and benefits for certain Town officers and employees who are not represented by one of the Town’s bargaining units; and

**WHEREAS,** the Town Board wishes to amend the compensation and benefits which will be provided to the Town Attorney;

**NOW, THEREFORE, BE IT**

**RESOLVED,** that the Town Attorney shall be compensated at a salary rate of \$40,000 for the 2008 fiscal year; and

**BE IT FURTHER**

**RESOLVED,** that the Town Attorney shall be entitled to health insurance coverage as such coverage is set forth in Article 14 of the collective negotiations agreement between the Town and the CSEA White Collar Unit (the “CSEA White Collar Agreement”), and life insurance coverage as such coverage is set forth in Article 23.4 of the CSEA White Collar Agreement; and

**BE IT FURTHER**

**RESOLVED,** that, except as set forth above, no provision of (a) the CSEA White Collar Agreement, (b) the Personnel Rules for Employees in the Service of the Town of Lancaster, or (c) any other previously adopted policy or rule establishing compensation and/or benefits for Town officers and employees, shall be deemed to apply to the Town Attorney; and

**BE IT FURTHER**

**RESOLVED,** that this resolution shall become effective upon adoption, and shall supersede all previous resolutions of this Board.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

July 7, 2008

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO MOVED ITS  
ADOPTION, SECONDED BY COUNCIL  
MEMBER ABRAHAM, TO WIT:

**RESOLVED**, that the following Audited Claims be and are hereby ordered paid  
from their respective accounts as per abstract to be filed in the Office of the Town Clerk by the  
Director of Administration and Finance, to wit:

Claim No. 2940 to Claim No. 3263 Inclusive

Total amount hereby authorized to be paid: \$713,200.30

The question of the foregoing resolution was duly put to a vote on roll call  
which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

July 7, 2008

THE FOLLOWING RESOLUTION WAS OFFERED  
 BY COUNCIL MEMBER STEMPIAK, WHO  
 MOVED ITS ADOPTION, SECONDED BY  
 COUNCIL MEMBER ABRAHAM, TO WIT:

**RESOLVED** that the following Building Permit applications be and are hereby reaffirmed:

**CODES:**

**(SW)** = Sidewalks as required by Chapter 12-1B. of the Code of the Town Lancaster are waived for this permit.

**(CSW)** = Conditional sidewalk waiver.

**(V/L)** = Village of Lancaster

**NEW PERMITS:**

15771	City Fence Inc	30 Garfield St	Er. Fence	(V/L)
15772	Meegan, Brian	7 Pondview Ct	Re-Roof House	
15773	Dutka, Samuel	37 Parkside Dr	Er. She	(V/L)
15774	Schobert, Matthew	6 St Anthony St	Er. Deck	
15775	Ferry Builders	166 Nichter Rd	Er. Dwlg.-Sin.	
15776	Premier Fence	237 Aurora St	Er. Fence	(V/L)
15777	Duro-Shed Inc	31 Sagebrush Ln	Er. Shed	
15778	Seibold Construction	20 Southpoint Dr	Re-Roof House	
15779	Seibold Construction	5 Hidden Trl	Re-Roof House	
15780	Seibold Construction	41 Country Pl	Re-Roof House	
15781	North Forest Properties	2821 Wehrle Dr	Er. Sign-Wall Suite 1	
15782	North Forest Properties	2821 Wehrle Dr	Er. Sign-Wall Suite 2	
15783	Mays, Ronald	511 Erie St	Er. Shed	
15784	Lovejoy Builders Inc	5 Joseph Dr	Er. Dwlg.-Sin.	
15785	City Fence Inc	825 Ransom Rd	Er. Fenc	
15786	City Fence Inc	8 Hillside Pky	Er. Fence	
15787	Lewandowski, Brian	33 Lake Ave	Er. Deck	(V/L)
15788	Guardian Fences	105 Aurora St	Er. Fence	(V/L)
15789	Brothers Frank & George	521 Pleasant View Dr	Re-Roof House	
15790	Iroquois Fence Co	37 Sagebrush Ln	Er. Fence	
15791	Forbes Homes	24 Sawgrass Ln	Er. Dwlg.-Sin.	
15792	Forbes Homes	25 Sawgrass Ln	Er. Dwlg.-Sin.	
15793	Forbes Homes	51 Avian Way	Er. Dwlg.-Sin.	
15794	Marrano/Marc Equity	75 Avian Way	Er. Dwlg.-Sin.	
15795	Marrano/Marc Equity	8 Pelham Rd	Er. Dwlg.-Sin.	
15796	Mr Pool Enterprises	219 Nathan's Trl	Er. Pool-In Grnd	
15797	Mallia, John	6 Pondview Ct	Re-Roof House	
15798	Marrano/Marc Equity	72 Avian Way	Er. Dwlg.-Sin.	
15799	Marrano/Marc Equity	16 Red Clover Ln	Er. Dwlg.-Sin.	
15800	The Gutter People	401 Central Ave	Er. Res. Add.	
15801	Kulback's Construction	3979 Walden Ave	Er. Comm. Add.	
15802	Iroquois Fence	19 Stone Hedge Dr	Er. Fence	
15803	Sun Enterprises	224 Nathan's Trl	Er. Shed	
15804	Oneida Fence Inc	5605 Broadway	Er. Fence	(V/L)
15805	Hart, Dennis	342 Schwartz Rd	Re-Roof House	
15806	Advanced Demolition	4931 Transit Rd	Dem. Dwlg.	
15807	HD Unlimited	310 Pleasant View Dr	Er. Pool-Abv Grnd	
15808	Campanelli, Mark	20 Nicholas Ln	Er. Shed	
15809	Mr Pool Enterprises	219 Nathan's Trl	Er. Fence	
15810	Grau Builders	19 Logan Ln	Er. Dwlg.-Sin.	
15811	Fairway Hills Dev	62 Avian Way	Er. Dwlg.-Sin.	
15812	Mad Dog Construction	5 Fieldstone Ln	Er. Deck	
15813	Fix, Richard	54 Rehm Rd	Er. Pool-Abv Grnd	
15814	HD Unlimited	12 Deerpath Dr	Er. Pool-Abv Grnd	
15815	Advanced Demolition	4925 Transit Rd	Dem. Dwlg.	

15816	Colley Pools	13 Fox Trace	Er. Pool-In Grnd
15817	Colley Pools	13 Fox Trace	Er. Fence
15818	Aqua Systems	25 Chicory Ln	Inst. Inground Sprinkler
15819	Besroi Construction	60 Rehm Rd	Re-Roof House
15820	Besroi Construction	2159 Como Park Blvd	Re-Roof House (V/L)
15821	Kerl, Thomas	57 Livingston St	Re-Roof Hous (V/L)
15822	White, Christopher	45 Kurtz Ave	Er. Pool-Abv Grnd (V/L)
15823	Kai Construction	6727 Transit Rd	Dem. Dwlg.
15824	Mitola, Patrick	5 Village View	Er. Fence
15825	Natale Building Corp	24 Nicholas Ln	Er. Dwlg.-Sin.
15826	Marrano/Marc Equity	24 St Davids Rd	Er. Dwlg.-Sin.
15827	Marrano/Marc Equity	5 Red Clover Ln	Er. Dwlg.-Sin.
15828	Marrano/Marc Equity	28 Chicory Ln	Er. Dwlg.-Sin.
15829	Brothers F & G	82 Stony Brook Dr	Er. Res. Add.
15830	Vega, Christoper	5745 Broadway	Er. Shed
15831	Weber, Boyd	30 Waltham Ave	Re-Roof House (V/L)
15832	Buffalo Reuse Inc	5976 Genesee St	Dem. Wall
15833	Heritage Fence Co	71 Cambria St	Er. Fence (V/L)
15834	Black Rock	4 Grace Way	Re-Roof House
15835	CMK Builders	1 Pinetree Dr	Er. Dwlg.-Sin.
15836	Whetstone, Anthony	8 Banner Ave	Er. Res. Add. (V/L)
15837	Imperial Fence Co	5 Summerfield Dr	Er. Fence
15838	Beauty Pools Inc	6061 Broadway	Er. Pool-In Grnd
15839	Iroquois Fence Inc	590 Lake Ave	Er. Fence
15840	Conrad, Robert	18 Heathrow Ct	Er. Deck
15841	Sparda, Steve	207 Warner Rd	Er. Deck
15842	Fix, Richard	152 Stony Rd	Er. Pool-Abv Grnd
15843	Quigley, Michael	18 Cambridge Ct	Er. Res. Add.
15844	Scheuer, John	12 Field Ave	Er. Fence (V/L)
15845	City Fence Inc	3496 Bowen Rd	Er. Fence
15846	Lampke	54 Rehm Rd	Er. Deck
15847	Unger, Ray	417 Erie St	Er. Garage
15848	Recreational Warehouse	19 Hawthorne Trl	Er. Fireplace
15849	City Fence Inc	45 Fifth Ave	Er. Fence (V/L)
15850	Duro-Shed Inc	423 Lake Ave	Er. Shed
15851	Stockmohr Co	1 Matthews Dr	Re-Roof House
15852	Spyche, Peter	26 Quail Run Ln	Er. Garage
15853	All Around Fencing	32 Grafton Ct	Er. Fence
15854	Patio Enclosures	7 Clermont Ct	Er. Res. Add.
15855	Duro-Shed Inc	69 Southwest Pky	Er. Shed (V/L)
15856	Expert Fence Co	71 Fifth Ave	Er. Fence (V/L)
15857	Pro-Line Pools	29 Garfield St	Er. Pool-Abv Grnd (V/L)
15858	Chavers, Amos	102 Pheasant Run Ln	Er. Shed
15859	Duro-Shed Inc	16 Stone Hedge Dr	Er. Shed
15860	Duro-Shed Inc	5 Arrow Trl	Er. Shed
15861	John's Home Impr	29 Church St	Re-Roof House (V/L)
15862	King, Don	22 Apple Blossom	Er. Res. Add.
15863	SW WFB Enterprises	120 Schlemmer Rd	Er. Dwlg.-Sin.
15864	Colley Pools	9 Juniper Blvd	Er. Fence
15865	Colley Pools	9 Juniper Blvd	Er. Pool-In Grnd
15866	Volpe Remodeling	705 Ransom Rd	Re-Roof House
15867	Try Lock Roofing	122 Central Ave	Re-Roof Shop (V/L)
15868	Try Lock Roofing	122 Central Ave	Re-Roof Office (V/L)
15869	Try Lock Roofing	122 Central Ave	Re-Roof Power Bldg (V/L)
15870	Forbes Homes	8 Muirfield Ln	Er. Dwlg.-Sin.
15871	Duro-Shed Inc	18 Stutzman Rd	Er. Shed

**BE IT FURTHER**

**RESOLVED**, that the Building Permit Applications herein coded (SW) for sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance requirement for sidewalks, and

**BE IT FURTHER**

**RESOLVED**, that the Building Permit Applications herein coded (CSW) for conditional sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance required for sidewalks, however, the waiver is granted upon the expressed condition that the Town of Lancaster, at any future date, reserves the right to order sidewalk installation at the expense of the property owner.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

July 7, 2008

## **COMMUNICATIONS & REPORTS**

299. Highway Superintendent to Planning Board Chairman -  
Notice of no concerns regarding site plan of Greenfield Manor, s/s of Broadway.  
DISPOSITION = Planning Committee
300. Highway Superintendent to Planning Board Chairman -  
Notice of no concerns regarding final plat submission for Roseland Subdivision, Phase II.  
DISPOSITION = Planning Committee
301. Roy Schneggenburger to Town Clerk -  
Comments regarding meeting of June 16, 2008. DISPOSITION = Received & Filed
302. NYS DEC to Town Attorney -  
Notice of Lead Agency Designation regarding proposed West Herr Toyota Dealership, east side of Transit Road, north of Genesee Street; comments noted. DISPOSITION = Planning Committee
303. General Crew Chief to Planning Board, Council Members Abraham, Ruffino, & Stempniak -  
Notice from the Town Forestry Department of no concerns regarding site plan for Casey Machine Co., 74 Ward Road. DISPOSITION = Planning Committee
304. General Crew Chief to Planning Board, Council Members Abraham, Ruffino, & Stempniak -  
Notice from the Town Forestry Department of no concerns regarding landscape plan for Greenfield Manor, 5953 Broadway. DISPOSITION = Planning Committee
305. General Crew Chief to Planning Board, Council Members Abraham, Ruffino, & Stempniak -  
Recommendation to replace Green Ash trees with other approved varieties due to disease.  
DISPOSITION = Received & Filed
306. Concerned Citizens to Town Board -  
Petition requesting regular street sign for Primrose Lane. DISPOSITION = Highway Superintendent
307. NYS DEC to Town Attorney -  
Notice of Lead Agency Designation regarding proposed Greenfield Manor rezone and extension; comments noted. DISPOSITION = Planning Committee
308. Erie-Niagara Tobacco-Free Coalition to Town Board -  
Letter of apology regarding sponsored event held on May 23, 2008. DISPOSITION = Received & Filed
309. Erie County Department of Health to Salvatore N. Balesteri -  
Enclosure of Certificate of Approval of Realty Subdivision Plans for Roseland Subdivision, Phase 2. DISPOSITION = Planning Committee
310. NYS DEC to Town Attorney -  
Notice of Lead Agency Designation regarding proposed Greenfield Apartment addition; comment noted. DISPOSITION = Planning Committee
311. NYS DEC to Town Attorney -  
Notice of Lead Agency Designation regarding proposed Casey Machine Company addition, 74 Ward Road; comments noted. DISPOSITION = Planning Committee
312. Town of Orchard Park to Town Board -  
Transmittal of resolution regarding proposal to amend Real Property Tax Law regarding valuation of condominiums. DISPOSITION = Received & Filed
313. Town of Elma to Town Board -  
Transmittal of resolution regarding proposal to amend Real Property Tax Law regarding valuation of condominiums. DISPOSITION = Received & Filed
314. Planning Board Chairman to Planning Board, Town Board, Engineering Consultant, Town Attorney, Highway Superintendent, Building Inspector -  
Draft copy of minutes of meeting held June 18, 2008. DISPOSITION = Received & Filed
315. Planning Board to Town Board -  
Notice of tabling to meeting of July 2, 2008 regarding site plan for retail development project, 4817 Transit Road; comment noted. DISPOSITION = Received & Filed

316. Planning Board to Town Board -  
Recommend approval regarding revised site plan for Wal-Mart Store, n.e. corner of William Street and Transit Road, condition noted. DISPOSITION = For Resolution
317. Planning Board to Town Board -  
Recommend approval regarding site plan for Casey Machine Co., Inc., 74 Ward Road. DISPOSITION = Planning Committee
318. Planning Board to Town Board -  
Recommend approval regarding site plan for Greenfield Manor, 5953 Broadway; condition noted. DISPOSITION = Planning Committee
319. Village of Lancaster to Town Board -  
Minutes of meeting held June 9, 2008. DISPOSITION = Received & Filed
320. Village of Lancaster to Town Board -  
Minutes of meeting held June 16, 2008. DISPOSITION = Received & Filed
321. Carol A. Leonardi to Supervisor -  
Letter of appreciation of efforts regarding parking situation on Shadyside Lane and Pheasant Run Lane. DISPOSITION = Public Safety Committee
322. Highway Superintendent to Planning Board Chairman -  
Notice of no concerns regarding site plan of West Herr Toyota Car Dealership, Transit Road north of Genesee Street. DISPOSITION = Planning Committee
323. David E. Williams, Jr. to Building & Zoning Department -  
Letter of inquiry regarding speed limit on Schwartz Road between Westwood Road and Erie Street. DISPOSITION = Police Chief
324. Town Attorney to Town Board -  
Notice of SEQR meeting to be held Monday, July 7, 2008, 6:30 PM regarding site plan for Wal-Mart Store, Transit Road and William Street. DISPOSITION = Received & Filed
325. Town Clerk to Various News Media -  
Notice of SEQR meeting to be held Monday, July 7, 2008, 6:30 PM regarding site plan for Wal-Mart Store, Transit Road and William Street. DISPOSITION = Received & Filed
326. NYS DOT to Town Attorney -  
Notice of Lead Agency Designation regarding site plan for West-Herr Toyota Car Dealership; comments noted. DISPOSITION = Planning Committee
327. General Crew Chief to Planning Board, Council Members Abraham, Ruffino, & Stempniak -  
Notice of non-compliance by developer of recommendations made by Town Forestry Department regarding revised site plan for Benderson Retail Development, 4817 Transit Road. DISPOSITION = Planning Committee
328. Karen H. Shafer to Town Board -  
Notice of annual Garden Walk on July 19 - 20, 2008. DISPOSITION = Received & Filed
329. Highway Superintendent to Town Board -  
Request resolution to hire seasonal employee. DISPOSITION = Resolution 7/7/08
330. Executive Director, Youth Bureau to Supervisor -  
Request resolution to appoint individuals to various positions. DISPOSITION = Resolution 7/7/08
331. General Crew Chief to Supervisor -  
Request resolution to hire seasonal employees. DISPOSITION = Resolution 7/7/08
332. Chief of Police to Town Board -  
Request resolution to appoint two police officers. DISPOSITION = Resolution 7/7/08
333. Village of Lancaster to Town Board -  
Minutes of meeting held June 23, 2008. DISPOSITION = Received & Filed

**ADJOURNMENT:**

**ON MOTION OF COUNCIL MEMBER AMATURA, SECONDED BY COUNCIL MEMBER RUFFINO AND CARRIED, the meeting was adjourned at 9:48 P.M. in memory of William R. Franger.**

Signed \_\_\_\_\_  
Johanna M. Coleman, Town Clerk